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EXAMINER	
FOX, JAMAL A	
ART UNIT	PAPER NUMBER
2664	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/025,879	MOON, HYUNG CHEOL	
	Examiner	Art Unit	
	Jamal A. Fox	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☒ Certified copies of the priority documents have been received in Application No. 10/025,879.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/6/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 3, 7-10, 14-17, 21, 22 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Esmailzadeh (U.S. Patent No. 6,259,724).

Referring to claim 1, Esmailzadeh discloses a method for determining transmission power of a first station in a wireless packet data communication system, comprising:

calculating a transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) in the first station (mobile station, col. 1 lines 40-50) based on a previous data transmission;

transmitting a preliminary signal (preamble, col. 1 lines 40-50, col. 2 lines 55-65, col. 3 lines 45-50; col. 5 lines 40-50 and col. 6 lines 45-50) with the calculated transmission power from the first station (mobile station, col. 1 lines 40-50) to a second station (base station, col. 1 lines 45-50); and

transmitting packet data from the first station to the second station (base station, col. 1 lines 65-67), if the preliminary signal is acknowledged (acknowledged, col. 1 lines 60-65; acknowledges, col. 4 lines 1-6 and acknowledgment, col. 6 lines 12-17) by the second station.

Referring to claim 3, Esmailzadeh discloses the method of claim 1, wherein the preliminary signal transmission comprises:

transmitting a preamble (preamble, col. 1 lines 40-50, col. 2 lines 55-65, col. 3 lines 45-50; col. 5 lines 40-50 and col. 6 lines 45-50) from the first station to the second station; and

receiving a channel (channel, col. 2 lines 55-60) occupying signal from the second station as a response to the preamble.

Referring to claim 7, Esmailzadeh discloses the method of claim 1, wherein the transmission power is determined in accordance with a transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) used by the first station (mobile station, col. 1 lines 40-50) in a previous transmission to the second station (base station, col. 1 lines 40-50), a controlled amount of the transmission power by the second station (base station, col. 1 lines 40-50), a changed amount of power received

at the first station, and a channel compensating (compensate, col. 3 lines 65-67 and col. 5 lines 20-25) value of the second station.

Referring to claim 8, Esmailzadeh discloses the method of claim 7, wherein the transmission power is determined by summing the transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) used in the previous transmission, the controlled amount of the transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) by the second station, the changed amount of power received at the first station (mobile station, col. 1 lines 40-50), and the channel compensating value (compensate, col. 3 lines 65-67 and col. 5 lines 20-25) of the second station (base station, col. 1 lines 40-50).

Referring to claim 9, Esmailzadeh discloses the method of claim 1 wherein the first station (mobile station, col. 1 lines 40-50) is a mobile communication station and the second station is a base station (base station, col. 1 lines 40-50).

Referring to claim 10, Esmailzadeh discloses a method for determining a transmission power of a first station in a wireless transmission system, comprising:

calculating a transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) in the first station (mobile station, col. 1 lines 40-50) based on a previous data transmission;

transmitting a preamble (preamble, col. 1 lines 40-50, col. 2 lines 55-65, col. 3 lines 45-50; col. 5 lines 40-50 and col. 6 lines 45-50) from the first station (mobile station, col. 1 lines 40-50) to a second station (base station, col. 1 lines 45-50) with the calculated transmission power;

receiving a channel (channel, col. 2 lines 55-60) occupying signal from the second station as a response to the preamble; and

transmitting packet data from the first station to the second station after the channel occupying signal is received (acknowledged, col. 1 lines 60-65; acknowledges, col. 4 lines 1-6 and acknowledgment, col. 6 lines 12-17), and ending the packet data transmission when the transmission is successfully received by the second station.

Referring to claim 14, Esmailzadeh discloses the method of claim 10, wherein the new transmission power is calculated in accordance with a transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) used by the first station (mobile station, col. 1 lines 45-50) in a previous transmission to the second station (base station, col. 1 lines 45-50), controlled amount of the transmission power by the second station (base station, col. 1 lines 45-50), a changed amount of power received by the first station (mobile station, col. 1 lines 45-50), and a channel compensating (compensate, col. 3 lines 65-67 and col. 5 lines 20-25) value of the second station (base station, col. 1 lines 45-50).

Referring to claim 15, Esmailzadeh discloses the method of claim 14, wherein the transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) is determined by summing the controlled amount of the transmission power by the second station (base station, col. 1 lines 45-50), the changed amount of power received at the first station (mobile station, col. 1 lines 45-50), and the channel compensating (compensate, col. 3 lines 65-67 and col. 5 lines 20-25) value of the second station (base station, col. 1 lines 45-50).

Referring to claim 16, Esmailzadeh discloses the method of claim 10, wherein the first station is a mobile terminal (mobile station, col. 1 lines 45-50) and the second station is a base station (base station, col. 1 lines 45-50).

Referring to claim 17, Esmailzadeh discloses a wireless packet data communication system, comprising:

a mobile terminal (mobile station, col. 1 lines 40-50) configured to transmit packet data to a second station at a calculated transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25), wherein the calculated transmission power is determined in accordance with at least one of a previous power of the mobile terminal and control information received by the mobile terminal; and

a base station (base station, col. 1 lines 45-50) coupled to communicate with the first station (mobile station, col. 1 lines 40-50) and configured to transmit the control information to the mobile terminal (mobile station, col. 1 lines 40-50).

Referring to claim 21, Esmailzadeh discloses the system of claim 17, wherein the calculated transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) is determined by summing the previous transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25), a controlled amount of the transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) by the second station (base station, col. 1 lines 40-50), a changed amount of power received at the first station (mobile station, col. 1 lines 40-50), and a channel compensating (compensate, col. 3 lines 65-67 and col. 5 lines 20-25) value of the second station (base station, col. 1 lines 40-50).

Referring to claim 22, Esmailzadeh discloses a mobile communication terminal, comprising:

means for calculating a transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) based on a previous data transmission;

means for transmitting a preliminary signal (preamble, col. 1 lines 40-50, col. 2 lines 55-65, col. 3 lines 45-50; col. 5 lines 40-50 and col. 6 lines 45-50) using the calculated transmission power;

means form transmitting packet data if an acknowledgment (acknowledged, col. 1 lines 60-65; acknowledges, col. 4 lines 1-6 and acknowledgment, col. 6 lines 12-17) to the preliminary signal is received; and

means for ending (quickly allocate, col. 2 lines 55-60) the packet data transmission when the packet data transmission is successfully received by the second station.

Referring to claim 26, Esmailzadeh discloses the device of claim 22, wherein the transmission power is calculated in accordance with a transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) used by the first station (mobile station, col. 1 lines 40-50) in a previous transmission to the second station (base station, col. 1 lines 40-50), a controlled amount of the transmission power (transmitted power, col. 1 lines 45-50; transmission level, col. 4 lines 20-25) by the second station (base station, col. 1 lines 40-50), a changed amount of power received at the first station (mobile station, col. 1 lines 40-50), and a channel compensating

(compensate, col. 3 lines 65-67 and col. 5 lines 20-25) value of the second station (base station, col. 1 lines 40-50).

3. Claims 1-6, 9-13, 16, 17-20 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Derryberry et al. (U.S. Patent No. 6,498,785).

Referring to claim 1, Derryberry et al. discloses a method for determining transmission power of a first station in a wireless packet data communication system, comprising:

calculating (calculates, col. 9 lines 60-65) a transmission power in the first station based on a previous data transmission;

transmitting a preliminary signal (preamble, col. 9 lines 35-40) with the calculated transmission power from the first station (mobile station, col. 9 lines 30-40) to a second station (base station, col. 9 lines 30-40); and

transmitting packet data from the first station to the second station, if the preliminary signal is acknowledged (acknowledges, col. 9 lines 35-40) by the second station (base station, col. 9 lines 30-40).

Referring to claim 2, Derryberry et al. discloses the method of claim 1, further comprising ending (Figures 4 and 5 ref. sign END and respective portions of the spec.) the packet data transmission when the packet data transmission is successfully received by the second station.

Referring to claim 3, Derryberry et al. discloses the method of claim 1, wherein the preliminary signal transmission comprises:

transmitting a preamble (preamble, col. 9 lines 35-40) from the first station to the second station; and

receiving a channel occupying signal (control signal, col. 9 lines 30-40) from the second station as a response to the preamble (preamble, col. 9 lines 35-40).

Referring to claim 4, Derryberry et al. discloses the method of claim 3 further comprising ending (Figures 4 and 5 ref. sign END and respective portions of the spec.) the packet data transmission process if the channel occupying signal is not received from the second station.

Referring to claim 5, Derryberry et al. discloses the method of claim 1, further comprising:

determining (measures, Fig. 4 and respective portions of the spec.) whether the packet data transmission is successfully received
by the second station; and

increasing (adjusts, Fig. 4 and respective portions of the spec.) the transmission power of the first station if the packet data transmission is not successfully received by the second station.

Referring to claim 6, Derryberry et al. discloses the method of claim 5, further comprising:

transmitting (Fig. 4, transmits and respective portions of the spec.) a second preliminary signal with the increased transmission power from the first station to a second station;

transmitting (Fig. 4, transmits and respective portions of the spec.) packet data from the first station if the transmission of the second preliminary signal is successfully received by the second station; and

ending (Fig. 4, ref. sign END and respective portions of the spec.) the packet data transmission when the packet transmission is successfully received by the second station.

Referring to claim 9, Derryberry et al. discloses the method of claim 1 wherein the first station (mobile station, col. 9 lines 30-40) is a mobile communication station and the second station is a base station (base station, col. 9 lines 30-40).

Referring to claim 10, Derryberry et al. discloses a method for determining a transmission power of a first station in a wireless transmission system, comprising:

calculating (calculates, col. 9 lines 60-65) a transmission power in the first station based on a previous data transmission;

transmitting a preamble (preamble, col. 9 lines 35-40) from the first station (mobile station, col. 9 lines 30-40) to a second station (base station, col. 9 lines 30-40) with the calculated transmission power;

receiving a channel occupying signal (control signal, col. 9 lines 30-40) from the second station (base station, col. 9 lines 30-40) as a response to the preamble; and

transmitting packet data from the first station (mobile station, col. 9 lines 30-40) to the second station (base station, col. 9 lines 30-40) after the channel occupying signal is received (acknowledges, col. 9 lines 35-40), and ending (Figures 4 and 5 ref.

sign END and respective portions of the spec.) the packet data transmission when the transmission is successfully received by the second station.

Referring to claim 11, Derryberry et al. discloses the method of claim 10, further comprising ending (Fig. 4, ref. sign END and respective portions of the spec.) the packet data transmission if the channel occupying signal is not received from the second station.

Referring to claim 12, Derryberry et al. discloses the method of claim 10, further comprising:

determining (measures, Fig. 4 and respective portions of the spec.) whether the packet data transmission is successfully received by the second station; and

increasing (adjusts, Fig. 4 and respective portions of the spec.) the transmission power if the packet data transmission is not successfully received by the second station.

Referring to claim 13, Derryberry et al. discloses the method of claim 12, further comprising transmitting (transmits, Fig. 4 and respective portions of the spec.) the packet data to the second station at the increased transmission power.

Referring to claim 16, discloses the method of claim 10, wherein the first station is a mobile terminal (mobile station, col. 9 lines 30-40) and the second station is a base station (base station, col. 9 lines 30-40).

Referring to claim 17, Derryberry et al. discloses a wireless packet data communication system, comprising:

a mobile terminal (mobile station, col. 9 lines 30-40) configured to transmit packet data to a second station (base station, col. 9 lines 30-40) at a calculated (calculates, col.

9 lines 60-65) transmission power, wherein the calculated transmission power is determined in accordance with at least one of a previous power of the mobile terminal (mobile station, col. 9 lines 30-40) and control information (control signals, col. 9 lines 30-40) received by the mobile terminal (mobile station, col. 9 lines 30-40); and

a base station (base station, col. 9 lines 30-40) coupled to communicate with the first station (mobile station, col. 9 lines 30-40) and configured to transmit the control (control signals, col. 9 lines 30-40) information to the mobile terminal (mobile station, col. 9 lines 30-40).

Referring to claim 18, Derryberry et al. discloses the system of claim 17, wherein the control information (control signal, col. 9 lines 30-40) is transmitted from the base station (base station, col. 9 lines 30-40) to the mobile terminal (mobile station, col. 9 lines 30-40) with an acknowledgment (acknowledges, col. 9 lines 35-40) message related to a previous data transmission from the mobile terminal (mobile station, col. 9 lines 30-40).

Referring to claim 19, Derryberry et al. discloses the system of claim 17, wherein the mobile terminal (mobile station, col. 9 lines 30-40) is further configure to transmit a preliminary signal (preamble, col. 9 lines 35-40) to the base station (base station, col. 9 lines 30-40) at the calculated power prior to transmitting the packet data.

Referring to claim 20, Derryberry et al. discloses the system of claim 19, wherein the mobile terminal increases (adjusts, Fig. 4 and respective portions of the spec.) the calculated transmission power if no acknowledgment signal is received from the base station (base station, col. 9 lines 30-40).

Referring to claim 22, Derryberry et al. discloses a mobile communication terminal (mobile station, col. 9 lines 30-40), comprising:

means for calculating (calculates, col. 9 lines 60-65) a transmission power based on a previous data transmission;

means for transmitting a preliminary signal (preamble, col. 9 lines 35-40) using the calculated transmission power;

means form transmitting packet data if an acknowledgment (acknowledges, col. 9 lines 35-40) to the preliminary signal is received; and

means for ending (Figures 4 and 5 ref. sign END and respective portions of the spec.) the packet data transmission when the packet data transmission is successfully received by the second station (base station, col. 9 lines 30-40).

Referring to claim 23, Derryberry et al. discloses the device of claim 22, wherein the acknowledgment (acknowledges, col. 9 lines 35-40) comprises control information (control signal, col. 9 lines 30-40) sent from a base station (base station, col. 9 lines 30-40).

Referring to claim 24, Derryberry et al. discloses the device of claim 16, wherein the mobile terminal (mobile station, col. 9 lines 30-40) is configured to transmit to a base station (base station, col. 9 lines 30-40), and wherein the base station comprises:

means for receiving the preliminary signal (preamble, col. 9 lines 35-40) from the mobile terminal;

means for transmitting a channel occupying signal (control signal, col. 9 lines 30-40) in response to the preliminary signal (preamble, col. 9 lines 35-40);

means (base station, col. 9 lines 30-40) for receiving packet data transmitted from the mobile terminal (mobile station, col. 9 lines 30-40); and

means for transmitting an acknowledgment (acknowledges, col. 9 lines 35-40) signal to the mobile terminal (mobile station, col. 9 lines 30-40) when the data transmission from the mobile terminal (mobile station, col. 9 lines 30-40) has been received.

Referring to claim 25, Derryberry et al. discloses the device of claim 22, further comprising means for increasing (adjusts, Fig. 4 and respective portions of the spec.) the transmission power if no acknowledgment (acknowledges, col. 9 lines 35-40) is received.

4. Claims 1, 3, 5, 7-10, 12-17, 21-23 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Bark et al. (U.S. Patent No. 6,628,956).

Referring to claim 1, Bark et al. discloses a method for determining transmission power of a first station in a wireless packet data communication system, comprising:

calculating a transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) in the first station (mobile station, col. 4 lines 1-34) based on a previous data transmission;

transmitting a preliminary signal (preamble, col. 4 lines 22-35) with the calculated transmission power from the first station (mobile station, col. 4 lines 1-34) to a second station (base station, col. 4 lines 1-34); and

transmitting packet data from the first station (mobile station, col. 4 lines 1-34) to the second station (base station, col. 4 lines 1-34), if the preliminary signal is

acknowledged (acknowledges, acknowledgment, and acknowledged, col. 4 lines 1-21) by the second station.

Referring to claim 3, Bark et al. discloses the method of claim 1, wherein the preliminary signal transmission comprises:

transmitting a preamble (preamble, col. 4 lines 22-35) from the first station to the second station; and

receiving a channel occupying signal (positive acquisition indicator, col. 4 lines 25-29) from the second station (base station, col. 4 lines 1-34) as a response to the preamble.

Referring to claim 5, Bark et al. discloses the method of claim 1, further comprising:

determining (detected, col. 4 lines 1-35) whether the packet data transmission is successfully received

by the second station; and

increasing (ramp up, col. 4 lines 1-35) the transmission power of the first station if the packet data transmission is not successfully received by the second station.

Referring to claim 7, Bark et al. discloses the method of claim 1, wherein the transmission power is determined in accordance with a transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) used by the first station (mobile station, col. 4 lines 1-34) in a previous transmission to the second station (base station, col. 4 lines 1-34), a controlled amount of the transmission power by the second station (base station, col. 4 lines 1-34), a changed amount of power received at

the first station (mobile station, col. 4 lines 1-34), and a channel compensating (compensate, compensated and compensation, col. 10 lines 58-65 and col. 11 lines 1-45) value of the second station (base station, col. 4 lines 1-34).

Referring to claim 8, Bark et al. discloses the method of claim 7, wherein the transmission power is determined by summing the transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) used in the previous transmission, the controlled amount of the transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) by the second station, the changed amount of power received at the first station (mobile station, col. 4 lines 1-34), and the channel compensating (compensate, compensated and compensation, col. 10 lines 58-65 and col. 11 lines 1-45) value of the second station (base station, col. 4 lines 1-34).

Referring to claim 9, Bark et al. discloses the method of claim 1 wherein the first station (mobile station, col. 4 lines 1-34) is a mobile communication station and the second station is a base station (base station, col. 4 lines 1-34).

Referring to claim 10, Bark et al. discloses a method for determining a transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) of a first station in a wireless transmission system, comprising:

calculating a transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) in the first station (mobile station, col. 4 lines 1-34) based on a previous data transmission;

transmitting a preamble (preamble, col. 4 lines 22-35) from the first station (mobile station, col. 4 lines 1-34) to a second station with the calculated transmission power;

receiving a channel occupying signal (positive acquisition indicator, col. 4 lines 25-29) from the second station (base station, col. 4 lines 1-34) as a response to the preamble; and

transmitting packet data from the first station (mobile station, col. 4 lines 1-34) to the second station (base station, col. 4 lines 1-34) after the channel occupying signal is received (acknowledges, acknowledgment, and acknowledged, col. 4 lines 1-21), and ending the packet data transmission when the transmission is successfully received by the second station.

Referring to claim 12, Bark et al. discloses the method of claim 10, further comprising:

determining (detected, col. 4 lines 1-35) whether the packet data transmission is successfully received by the second station; and

increasing (ramp up, col. 4 lines 1-35) the transmission power if the packet data transmission is not successfully received by the second station.

Referring to claim 13, Bark et al. discloses the method of claim 12, further comprising transmitting (transmits, col. 4 lines 25-30) the packet data to the second station at the increased transmission power.

Referring to claim 14, Bark et al. discloses the method of claim 10, wherein the new transmission power is calculated in accordance with a transmission power (transmit

power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) used by the first station (mobile station, col. 4 lines 1-34) in a previous transmission to the second station (base station, col. 4 lines 1-34), controlled amount of the transmission power by the second station (base station, col. 4 lines 1-34), a changed amount of power received by the first station (mobile station, col. 4 lines 1-34), and a channel compensating (compensate, compensated and compensation, col. 10 lines 58-65 and col. 11 lines 1-45) value of the second station (base station, col. 4 lines 1-34).

Referring to claim 15, Bark et al. discloses the method of claim 14, wherein the transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) is determined by summing the controlled amount of the transmission power by the second station (base station, col. 4 lines 1-34), the changed amount of power received at the first station (mobile station, col. 4 lines 1-34), and the channel compensating (compensate, compensated and compensation, col. 10 lines 58-65 and col. 11 lines 1-45) value of the second station (base station, col. 4 lines 1-34).

Referring to claim 16, Bark et al. discloses the method of claim 10, wherein the first station is a mobile terminal (mobile station, col. 4 lines 1-34) and the second station is a base station (base station, col. 4 lines 1-34).

Referring to claim 17, Bark et al. discloses a wireless packet data communication system, comprising:

a mobile terminal (mobile station, col. 4 lines 1-34) configured to transmit packet data to a second station (base station, col. 4 lines 1-34) at a calculated transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55),

wherein the calculated transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) is determined in accordance with at least one of a previous power of the mobile terminal (mobile station, col. 4 lines 1-34) and control information received by the mobile terminal; and

a base station (base station, col. 4 lines 1-34) coupled to communicate with the first station and configured to transmit the control information to the mobile terminal (mobile station, col. 4 lines 1-34).

Referring to claim 21, Bark et al. discloses the system of claim 17, wherein the calculated transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) is determined by summing the previous transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55), a controlled amount of the transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) by the second station (base station, col. 4 lines 1-34), a changed amount of power received at the first station (mobile station, col. 4 lines 1-34), and a channel compensating (compensate, compensated and compensation, col. 10 lines 58-65 and col. 11 lines 1-45) value of the second station (base station, col. 4 lines 1-34).

Referring to claim 22, Bark et al. discloses a mobile communication terminal, comprising:

means (RNC controller, Figures 4 and 5 and respective portions of the spec.) for calculating a transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) based on a previous data transmission;

means for transmitting a preliminary signal (preamble, col. 4 lines 22-35) using the calculated transmission power;

means form transmitting packet data if an acknowledgment (acknowledges, acknowledgment, and acknowledged, col. 4 lines 1-21) to the preliminary signal is received; and

means for ending (see controllers, Figures 4, 5 and 6) the packet data transmission when the packet data transmission is successfully received by the second station (base station, col. 4 lines 1-34).

Referring to claim 23, Bark et al. discloses the device of claim 22, wherein the acknowledgment (acknowledges, acknowledgment, and acknowledged, col. 4 lines 1-21) comprises control information (positive acquisition indicator, col. 4 lines 25-29) sent from a base station (base station, col. 4 lines 1-34).

Referring to claim 26, Bark et al. discloses the device of claim 22, wherein the transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) is calculated in accordance with a transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) used by the first station (mobile station, col. 4 lines 1-34) in a previous transmission to the second station (base station, col. 4 lines 1-34), a controlled amount of the transmission power (transmit power, col. 3 lines 60-65 and calculate power, col. 11 lines 50-55) by the second station (base station, col. 4 lines 1-34), a changed amount of power received at the first station (mobile station, col. 4 lines 1-34), and a channel compensating (compensate,

compensated and compensation, col. 10 lines 58-65 and col. 11 lines 1-45) value of the second station (base station, col. 4 lines 1-34).

Conclusion

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 Customer Service whose telephone number is (571) 272-2600.

Jamal A. Fox

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER